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APPLICATION NO. 09/220,104	FILING DATE 12/22/90	FIRST NAMED INVENTOR DYDDAL	ATTORNEY DOCKET NO. B-358
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MM21/0827

EXAMINER LEE, B
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ART UNIT 2817	PAPER NUMBER
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DATE MAILED: 08/27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	11

DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

- ☐ This application has been examined ☒ Responsive to communication filed on 9 March 2001 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), Days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.       | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948.                  |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449             | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474 | 6. <input type="checkbox"/> _____   |

Part II SUMMARY OF ACTION

1. ☒ Claims 9-14 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2. ☒ Claims 5-8 have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 9-14 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.
8. ☐ Allowable subject matter having been indicated, formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. These drawings are: ☐ acceptable;  
☐ not acceptable (see explanation).
10. ☐ The ☐ proposed drawing correction and/or the ☐ proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been ☐ approved by the examiner, ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved, ☐ disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections **MUST** be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.
12. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received  
☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_
13. ☐ Since this application appears to be in condition for a allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

SN 220184

Art Unit: 2817

The request filed on 9 March 2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 220184 is acceptable and a CPA has been established. An action on the CPA follows:

The substitute specification filed 9 March 2001 has not been considered since no "marked-up" copy of the substitute specification has been filed for comparison purposes.

Moreover, the amendment after final filed 17 January 2001 has not been entered since applicant did not request such entry in the CPA request. Accordingly, the amendments to the specification made in the after final amendment to address the below objections have not been made and the below objections remain pending:

The disclosure is objected to because of the following informalities: Page 12, line 14, note that "of Fig. 1" should correctly be --of Fig. 2--. Page 15, line 10, note that "as shown in Fig. 1" should be rephrased as --as shown in Fig. 2--; line 15, note that "as shown in Fig. 2" should be rephrased as --as shown in Fig. 1--. Appropriate correction is required.

The disclosure is objected to because of the following informalities: Note that the following reference labels appearing in the corresponding figures still need to be explicitly described therewith: Fig. 3A (10, 12, 14); fig. 3B (10, 12, 13, 14, 16, 25, 40, 42, 44); Fig. 4 (10a, 12, 13, 14a, 14b, 16b, 19, 40, 40a, 40b, 42, 42a, 42b, 44, 44a, 44b, 46b, 52b). Appropriate correction is required.

Art Unit: 2817

Claims 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 9, note that it is unclear if the Markush recitation for the "first and second shapes" is proper. For example, it would appear from the specification that the first and second shapes are mutually exclusive. In other words, if the first shape is "straight", then the second shape must be "bent". Clarification is needed.

Claims 9-14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number (703) 308-4902.



BENNY T. LEE  
PRIMARY EXAMINER  
ART UNIT 2817

B. Lee